

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

VS.

NO. 4:13CR00143-01-SWW

JOSE ALMANZA-PEREZ

ORDER

Pending is Defendant's Motion for Two Point Reduction (Doc. No. 80) based on Sentencing Guideline Amendment 782.

On August 25, 2014 Defendant was sentenced to 57 months in prison.¹ The sentence was based on total offense level of 25, which was the result of a base offense level of 28 minus 3 points for acceptance of responsibility and 2 points for safety valve. The base offense level was the result of a May 15, 2014 Variance Stipulation allowing Defendant a 2-point reduction in anticipation of Amendment 782.²

Because Amendment 782 already was factored in to Defendant's sentence, the motion is DENIED.

IT IS SO ORDERED this 4th day of February, 2015.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

¹Doc. No. 261.

²Doc. No. 44.